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ABSTRACT

This publication documents the firsthand experience of teachers as they work to implement the Education for All Handicapped Children Act (Public Law 94-142). A panel consisting of three regular classroom teachers, two special education teachers, and a school counselor discussed the problems involved in meeting the requirements of the Act and possible solutions to these problems. Discussion among panel participants focused largely on the individualized education plan (IEP), the first provision of the Act, upon which further implementation rests. The preparation of the IEP, the placement of handicapped children in the least restrictive environment, and the inservice and preservice personnel development needed to write and implement IEPs in both regular and special education are explored. Further discussion followed on the subject of the effects in the classroom, in terms of attitudes and achievement, on both the handicapped and nonhandicapped students. (JD)

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ERIC CLEARINGHOUSE ON TEACHER EDUCATION

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Teachers Talk:

PL 94-142 Reaches the Classroom

A Look at Early Reactions to the Education for All Handicapped Children Act

U.S. DEPARTMENT OF HEALTH EDUCATION & WELFARE NATIONAL INSTITUTE OF EDUCATION

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TEACHERS TALK:

PL 94-142 REACHES THE CLASSROOM

A Look at Early Reactions to the Education for All Handicapped Children Act

Report of a Panel Discussion by
Regular Education and Special Education Teachers

Sponsored jointly by the
National Education Association
and the
ERIC Clearinghouse on Teacher Education

Edited by

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Teacher Education

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INTRODUCTION

In November 1977, the National Education Association and the ERIC Clearinghouse on Teacher Education convened a panel of special educators and regular classroom teachers, to discuss the results of early efforts in the implementation of PL 94-142, the Education for All Handicapped Children Act. That law, described as the most significant education legislation of the past ten years, perhaps the past twenty years, mandates a free appropriate public education for all handicapped children ages three to eighteen not later than September 1, 1978, and ages three to twenty-one by September 1, 1980. Among the most visible--and controversial--components of the Act are stipulations for that education to take place in the "least restrictive environment," and for the writing of an individualized education plan for each handicapped child.

Implementation of the Act requires immediate action on a number of education fronts. Discussion among panel participants focused largely on the individualized education plan (IEP), the first provision of the Act whose implications can be seen. Specifically, the teachers came prepared to discuss four questions:

1. What did you anticipate the process of developing individualized education plans to entail, and what was your actual experience?

2. As an outcome of the IEP, have you found that handicapped children have been properly placed in their least restrictive environment (LRE)?

3. How have you been prepared--or not prepared--to implement the IEP, and the Act itself?

4. Where the regular classroom has been judged the least restrictive environment for a handicapped child, what has been the effect--on that child, on other students in the class, on parents, on you as a teacher?

This publication, prepared from tape transcriptions of the two-day meeting, documents the firsthand experience of teachers actually caught up in changing ideals to reality. The discussions bear out the awesome responsibilities placed on education to ensure social equality for all. And while special education teachers generally have eagerly anticipated the Act's implementation, regular classroom teachers--frequently through lack of information and, in some cases, misinformation--are by and large unprepared for the momentous challenges facing them; therefore, they are understandably fearful, uncertain, and even resentful of yet another imposed task.

Also apparent in this publication, however, is the intense will of most teachers to become prepared for educating handicapped children in the regular classroom, when that is the least restrictive environment. Their primary concern is not whether to conform to the spirit of the law, but how. They also express justifiable anxiety that other students in their classes not suffer because of increased demands on their already limited time. It is to be hoped that the frank airing of problems and frustrations

being experienced will bring forth immediate efforts toward realistic, practicable solutions.

A few words should be said about the format of this document. To prepare a printed manuscript from tape transcriptions requires editorial discretion in organizing participants' comments according to discussion topics, in omitting circumlocutions, and in assuring clarity in the expression of ideas. Care has been taken to retain intact both the dialog and the flavor of the exchange, and each panelist has verified the accuracy of the entire manuscript.

The publication is in four parts, corresponding to the four primary questions posed for discussion. Excerpts from the Rules and Regulations for Public Law 94-142, as published in the Federal Register for August 23, 1977, precede the discussion and introduce each of the first three sections. Panelists are identified according to their experience and current professional positions; all are active members of the National Education Association.

The NEA, as the largest organization representing classroom teachers, is on record as supporting the Education for All Handicapped Children Act, and stresses the primacy of teacher involvement in decision making. At the most recent NEA convention in August 1977, delegates approved a resolution detailing conditions that would facilitate the effective implementation of PL 94-142. Complete text of that resolution appears at the end of this publication.

The mission of the ERIC Clearinghouse on Teacher Education is the preparation and continuing development of school personnel, and PL 94-142 carries enormous potential consequences for all education personnel. Through its joint sponsorship of this panel discussion and the resultant publication, the Clearinghouse evidences its concern that these consequences be recognized and planned for, so that the law can be implemented to the benefit of all children.

This publication also reflects Clearinghouse awareness of the urgent need to capitalize on the professional expertise of practicing teachers, and to document their contributions to the accumulating knowledge base on this subject. Reader comments and suggestions are encouraged.

Lana Pipes
Editor, ERIC Clearinghouse
on Teacher Education

FREE APPROPRIATE PUBLIC EDUCATION

(Rules and Regulations)

TIMELINES FOR FREE APPROPRIATE PUBLIC EDUCATION

General. Each State shall insure that free appropriate public education is available to all handicapped children aged three through eighteen within the State not later than September 1, 1978, and to all handicapped children aged three through twenty-one within the State not later than September 1, 1980. . . .

Comment. 1. The requirement to make free appropriate public education available applies to all handicapped children within the State who are in the age ranges . . . and who need special education and related services. This includes handicapped children already in school and children with less severe handicaps. . . .

2. In order to be in compliance, . . . each State must insure that the requirement to identify, locate, and evaluate all handicapped children is fully implemented by public agencies throughout the State. This means that before September 1, 1978, every child who has been referred or is on a waiting list for evaluation (including children in school as well as those not receiving an education) must be evaluated. . . . If, as a result of the evaluation, it is determined that a child needs special education and related services, an individualized education program must be developed for the child by September 1, 1978, and all other applicable requirements of this part must be met.

3. The requirement to identify, locate, and evaluate handicapped children (commonly referred to as the "child find system") was enacted on August 21, 1974, under Pub. L. 93-380. While each State needed time to establish and implement its child find system, the four year period between August 21, 1974, and September 1, 1978, is considered to be sufficient to insure that the system is fully operational and effective on a State-wide basis.

Under the statute, the age range for the child find requirement (0-21) is greater than the mandated age range for providing free appropriate public education (FAPE). One reason for the broader age requirement under "child find" is to enable States to be aware of and plan for younger children who will require special education and related services. It also ties in with the full educational opportunity goal requirement, which has the same age range as child find. Moreover, while a State is not required to provide "FAPE" to handicapped children below the age ranges mandated, . . . the State may, at its discretion, extend services to those children, subject to the requirements on priorities. . . .

RESIDENTIAL PLACEMENT

If placement in a public or private residential program is necessary to provide special education and related services to a handicapped child, the program, including non-medical care and room and board, must be at no cost to the parents of the child. . . .

FULL EDUCATIONAL OPPORTUNITY GOAL

Each State educational agency shall insure that each public agency establishes and implements a goal of providing full educational opportunity to all handicapped children in the area served by the public agency. . . .

PROGRAM OPTIONS

Each public agency shall take steps to insure that its handicapped children have available to them the variety of educational programs and services available to non-handicapped children in the area served by the agency, including art, music, industrial arts, consumer and homemaking education, and vocational education.

Comment. The above list of program options is not exhaustive, and could include any program or activity in which non-handicapped students participate. Moreover, vocational education programs must be specially designed if necessary to enable a handicapped student to benefit fully from those programs. . . .

NONACADEMIC SERVICES

Each public agency shall take steps to provide nonacademic and extracurricular services and activities in such manner as is necessary to afford handicapped children an equal opportunity for participation in those services and activities.

Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies which provide assistance to handicapped persons, and employment of students, including both employment by the public agency and assistance in making outside employment available.

PHYSICAL EDUCATION

General. Physical education services, specially designed if necessary, must be made available to every handicapped child receiving a free appropriate public education.

Regular Physical Education. Each handicapped child must be afforded the opportunity to participate in the regular physical education program available to non-handicapped children unless: (1) the child is enrolled full time in a separate facility; or (2) the child needs specially designed physical education, as prescribed in the child's individualized education program.

Special Physical Education. If specially designed physical education is prescribed in a child's individualized education program, the public agency responsible for the education of that child shall provide the services directly, or make arrangements for it to be provided through other public or private programs. . . .

--Excerpted from: "Rules and Regulations," Federal Register 42 (163): 42488-89; August 23, 1977.

THE PANEL

JIM BLANK, Manitowoc, Wisconsin; teaches regular sixth grade classes; has taught for 16 years.

BETTY BROWN, Lansing, Michigan; teaches the fifth and sixth grades; has been a teacher for 10 years; has taught handicapped children in regular classes.

LAURA FOUNTAIN, South Bend, Indiana; is a teacher of the mentally retarded; has taught for 20 years--10 years in regular classes, 10 years as a special education teacher.

GERRY GRIPPER, Fairfax County, Virginia; is an elementary school physical education teacher, currently in his ninth year of teaching.

DIANE NEWKIRK, Fairfax County, Virginia; is a curriculum specialist in mental retardation, currently working on a doctorate in special education administration at Virginia Polytechnic Institute; has taught for five years in general education with the severely handicapped, the retarded, and the learning disabled.

BARBARA WHITE, Lansing, Michigan; has been an elementary school counselor for 12 years; taught fifth and sixth grades for six years previously.

RICHARD CORTRIGHT, Professional Associate with the Division of Instruction and Professional Development, National Education Association, Washington, D.C., served as Moderator of the Panel.

SECTION I
INDIVIDUALIZED EDUCATION PROGRAMS

(Rules and Regulations)

. . . The term "individualized education program" means a written statement for a handicapped child that is developed and implemented in accordance with [the following paragraphs].

STATE EDUCATIONAL AGENCY RESPONSIBILITY

Public Agencies. The State educational agency shall insure that each public agency develops and implements an individualized education program for each of its handicapped children.

Private Schools and Facilities. The State educational agency shall insure that an individualized education program is developed and implemented for each handicapped child who: (1) is placed in or referred to a private school or facility by a public agency; or (2) is enrolled in a parochial or other private school and receives special education or related services from a public agency. . . .

WHEN INDIVIDUALIZED EDUCATION PROGRAMS MUST BE IN EFFECT

On October 1, 1977, and at the beginning of each school year thereafter, each public agency shall have in effect an individualized education program for every handicapped child who is receiving special education from that agency.

An individualized education program must: (1) be in effect before special education and related services are provided to a child; and (2) be implemented as soon as possible following the [IEP] meetings. . . .

Comment. . . . It is expected that a handicapped child's individualized education program (IEP) will be implemented immediately following the meetings. . . . An exception to this would be (1) when the meetings occur during the summer or a vacation period, or (2) where there are circumstances which require a short delay (e.g., working out transportation arrangements). However, there can be no undue delay in providing special education and related services to the child.

MEETINGS

General. Each public agency is responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising a handicapped child's individualized education program.

Handicapped Children Currently Served. If the public agency has determined that a handicapped child will receive special education during school year 1977-1978, a meeting must be held early enough to insure that an individualized education program is developed by October 1, 1977.

Other Handicapped Children. For a handicapped child who is not included under [the preceding] paragraph, . . . a meeting must be held

within thirty calendar days of a determination that the child needs special education and related services.

Review. Each public agency shall initiate and conduct meetings to periodically review each child's individualized education program and if appropriate revise its provisions. A meeting must be held for this purpose at least once a year. . . .

PARTICIPANTS IN MEETINGS

General. The public agency shall insure that each meeting includes the following participants:

1. A representative of the public agency, other than the child's teacher, who is qualified to provide, or supervise the provision of, special education
2. The child's teacher
3. One or both of the child's parents, subject to [the section, "Parent Participation," which follows]
4. The child, where appropriate
5. Other individuals at the discretion of the parent or agency.

Evaluation Personnel. For a handicapped child who has been evaluated for the first time, the public agency shall insure: (1) that a member of the evaluation team participates in the meeting; or (2) that the representative of the public agency, the child's teacher, or some other person is present at the meeting, who is knowledgeable about the evaluation procedures used with the child and is familiar with the results of the evaluation.

Comment. 1. In deciding which teacher will participate in meetings on a child's individualized education program, the agency may wish to consider the following possibilities:

(a) For a handicapped child who is receiving special education, the "teacher" could be the child's special education teacher. If the child's handicap is a speech impairment, the "teacher" could be the speech-language pathologist.

(b) For a handicapped child who is being considered for placement in special education, the "teacher" could be the child's regular teacher, or a teacher qualified to provide education in the type of program in which the child may be placed, or both.

(c) If the child is not in school or has more than one teacher, the agency may designate which teacher will participate in the meeting.

2. Either the teacher or the agency representative should be qualified in the area of the child's suspected disability.

3. For a child whose primary handicap is a speech impairment, the evaluation personnel participating . . . would normally be the speech-language pathologist.

PARENT PARTICIPATION

Each public agency shall take steps to insure that one or both of the parents of the handicapped child are present at each meeting or are afforded the opportunity to participate, including: (1) notifying parents of the meeting early enough to insure that they will have an opportunity to attend; and (2) scheduling the meeting at a mutually agreed on time and place.

The notice . . . must indicate the purpose, time, and location of the meeting, and who will be in attendance.

If neither parent can attend, the public agency shall use other methods to insure parent participation, including individual or conference telephone calls.

A meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case the public agency must have a record of its attempts to arrange a mutually agreed on time and place such as: (1) detailed records of telephone calls made or attempted and the results of those calls, (2) copies of correspondence sent to the parents and any responses received, and (3) detailed records of visits made to the parent's home or place of employment and the results of those visits.

The public agency shall take whatever action is necessary to insure that the parent understands the proceedings at a meeting, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

The public agency shall give the parent, on request, a copy of the individualized education program. . . .

CONTENT OF INDIVIDUALIZED EDUCATION PROGRAM

The individualized education program for each child must include: (a) a statement of the child's present levels of educational performance; (b) a statement of annual goals, including short term instructional objectives; (c) a statement of the specific special education and related services to be provided to the child, and the extent to which the child will be able to participate in regular educational programs; (d) the projected dates for initiation of services and the anticipated duration of the services; and (e) appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short term instructional objectives are being achieved. . . .

INDIVIDUALIZED EDUCATION PROGRAM--ACCOUNTABILITY

Each public agency must provide special education and related services to a handicapped child in accordance with an individualized education program. However, Part B of the Act does not require that any agency, teacher, or other person be held accountable if a child does not achieve the growth projected in the annual goals and objectives.

Comment. This section is intended to relieve concerns that the individualized education program constitutes a guarantee by the public agency and the teacher that a child will progress at a specified rate. However, this section does not relieve agencies and teachers from

making good faith efforts to assist the child in achieving the objectives and goals listed in the individualized education program. Further, the section does not limit a parent's right to complain and ask for revisions of the child's program, or to invoke due process procedures, if the parent feels that these efforts are not being made. . . .

--Excerpted from: "Rules and Regulations," Federal Register 42 (163): 42490-91; August 23, 1977.

INDIVIDUALIZED EDUCATION PROGRAMS

(Discussion*)

RICHARD CORTRIGHT: *Under provisions of PL 94-142, handicapped students who are receiving special education and related services are to have individualized education programs--IEPs--prepared for them. What has been your experience with the preparation of IEPs?*

LAURA FOUNTAIN: Let me first give some background on what must happen before an IEP occurs. Each local education agency is responsible for insuring that all handicapped students within its jurisdiction are identified, located, and evaluated. Referrals come from many persons, but mostly from classroom teachers. Following referral, parental consent for evaluation must be sought, assuring that the parent understands the evaluation process which will be used. Testing and evaluation are on an individual basis, and instruments are selected and administered so as not to be racially or culturally discriminatory. The multidisciplinary team approach is used, and no single procedure is the sole criterion for determining an appropriate educational program for the child.

If a determination is made that a child is handicapped and needs special education and related services, then an IEP must be developed for that child, and placement must be made in conformity with the least restrictive environment rules. The IEP is developed in a meeting of at least three persons: a school district representative, the child's teacher, and one or both parents. The child is included whenever appropriate, as are other individuals who can be invited by either the parent(s) or the school. We like to have the child present; we feel that the child has an important place in determining his or her individualized education program.

The IEPs must include present levels of educational performance, a statement of the annual goals, and short-term instructional objectives. Specific special education and related services to be provided must be listed, as well as when these will begin and their expected duration. The extent of participation in regular education programs must be stated. Finally, the IEP includes objective criteria, evaluation procedures, and a schedule for review, at least annually of the short-term instructional objectives.

We thought it would be hard to develop IEPs; the fear factor was very high. We thought it would be so time consuming we would be unable to prepare them adequately and on time. However, we have developed IEPs for our students in special education. The children I had responsibility for last year all had IEPs written for them in the spring, to be in effect by the beginning of this school year. The people involved were predominantly teachers arranging for the meetings and organizing the various participants.

**Editor's Note:* *As a means of stimulating thought and comment, each of the discussion sessions was initiated by one of the participants, with a prepared exposition of approximately three to five minutes in length, on the proposed topic.*

The school representative in the meeting will depend on whether the IEP is for a child who is already in special education or for a child who has just been referred and tested. In my situation, with children already in special education, the school representative was the elementary school guidance counselor who had worked with the children throughout the year.

We found the situation comfortable. Parents were interested in helping to decide where their children should go, what their children could do, and the priority goals that would be established. The largest problem was finding a time when all the people could meet. Through our master agreement, we have negotiated five half-days of released time, and we were able to use that time to write IEPs. But for parents who were working that was an inappropriate time, so many meetings were held at 6:30 or 7:00 in the morning, or at 6:30 or 7:00 in the evening. In my opinion, the teachers seemed able to cope with this better than the school administrators.

Some of the IEP meetings included more than three people, or more than four counting the child. When a child had just received new testing, the person giving that series of tests was included.

The results are something that the students like, the parents like, and I as a teacher like. Fears were calmed once we started and discovered that writing an IEP was really putting on paper what the teacher has had in his or her head all along as a priority for that child. I stress that priority here because an IEP, as I see it, is not a curriculum for the child; it is an individualized program with individualized priorities for that student. The curriculum for my classroom remains predominantly the same as before; the goal areas for each student are different and are the ones chosen as priority goals in the individualized education plan.

My state has dealt with the fact that this plan is not a legally binding contract. The state law does not make it legally binding; the state application for PL 94-142 monies states that it is not a legally binding contract. Teachers feel that, with parents as participants in the IEP meeting, we are probably less vulnerable to malpractice suits now, since they are helping us to decide the priorities for their children.

However, we see a real problem with the possibility that programs children may need may not be offered. We have been working very closely with regular teachers, and are now preparing IEPs for new children who have been referred for testing. Most teachers' fears about how they are to participate have been calmed because they find that the law says they know the most about that child, and that is why they, as regular classroom teachers, are helping to write the IEP. They are able to tell the special education teachers their priorities and then work with the special education teachers toward their short-term goals.

My experience with IEP development has shown me at least two things: rather than being a frightening, tedious task as I had feared, it is instead a process of sharing ideas and placing on paper those ideas and special programs needed for an individual student. It also has been a way of establishing a strong beginning link in the long chain of communication between parent and school regarding this special education, related services, and possible regular education programs for the handicapped student.

* * * * *

BETTY BROWN: Does the regular classroom teacher write the IEP for a child who has been placed in a regular classroom for a certain portion of the day?

LF: The children placed in a regular classroom for a portion of the day are so placed to continue with the education in that classroom. Academically they are capable of participating in the classroom program, so their goal areas are not much different from those the regular teacher has already established for the other children.

None of the federal rules or my state rules specifically speak to who writes what part, just that the document is written in a group meeting. We used a short-term goal sheet, separate from the IEP program itself. The goal sheet is ordinarily prepared by the teacher who is working with the child in a particular area. If you as a regular classroom teacher were working with a child for a portion of the day in physical education, art, or music, you might be writing that portion of that child's IEP but you would be setting short-term objectives.

DIANE NEWKIRK: The IEP is written only for that part of the child's education that relates to special educational needs because of the handicap. Children in a regular program are there because they are in tune with the general goals of that classroom at that time; they are appropriately placed. If, for example, a child is in a physical education class because he or she is capable of working at that level of physical education, then that child will not need an IEP for that physical education class, but simply to be part of the teacher's planning for instruction for the range of children's needs in that class. Only when the child needs an adapted physical education program, different from what the other children are getting because of the handicap, will the child need an IEP. Then the physical education specialist may need to be in on planning and writing the IEP. The general teacher may also want to be involved in that planning in order to understand where the child has special needs for an adapted education program, and where the child's needs are like those of the other children.

The IEP is really a communication mechanism for all those working with the child--parents, all the teachers, counselors, administrators. All the people responsible for the education of that child have an opportunity to talk about the child's special needs and the needs like those of every other child of that age.

RC: What is written on the IEP, then, if a fourth-grade handicapped child is placed in a fourth-grade language arts class?

LF: In my IEP it would say only "fourth-grade language arts" because it would be expected that the educational ability of that child was appropriate for that placement or the placement would not have been made.

DN: An example might be a child who is at the current level of functioning in reading and other language arts components, but who is partially sighted, needs large-print books, and perhaps uses a magnifying glass. The IEP might state that the child will be provided with large-print texts and a magnifying glass, and will be seated in the classroom so as to make maximum use of his or her vision. It wouldn't say the kinds of things that teachers put in their daily, weekly, monthly plans as they are preparing for groups of language arts students; but it would state things over and above or outside the bounds of the teachers' usual planning for the range of differences in the classroom.

LF: The term used is "related services," and those services would have to be specified as they relate to the regular education class, as well as to the special education class.

RC: Do you interpret the law as meaning that special instructional materials must be provided for the handicapped child?

DN: Related services include everything--special services, transportation, hearing devices, special visual aids, large print books, magnifying glasses--that physically handicapped children might need to maneuver in that environment. Provision of these services is the responsibility of the local school system and/or the public health system or certain other agencies, depending on how the state regulations are written. But generally, where they affect educational programs, these need to be written into the IEP, and they need to be provided. Part of the federal funding is for provision of these special related services.

JIM BLANK: There is confusion as to what is the effective date for all IEPs, for all students of exceptional educational needs. In my state the interpretation is that those children who have been involved in the handicapped education program in effect since 1973 are the ones for whom the IEP was to have been written by October 1, 1977; however, for the remainder of the year we are going to conduct a search for those students who have not been involved, and then the total law will go into effect as of September 1, 1978. There is also a problem with interpretation of when the law is really implemented: are funds available at this time to a state for the administration of the program?

DN: The law says that children in special education programs as of October 1, 1977, must have IEPs in order to be counted for federal funding. That date is now past and IEPs should have been written. Within 30 days after a child is found eligible for a special education program, that child must have an IEP. I make the differentiation between finding a child eligible, which is identifying and evaluating the child, and going through the multiteam diagnostic meeting where children are determined to meet eligibility requirements for a certain handicapping condition in the state.

The law also states that by September 1, 1978, all children who are handicapped must be identified and served. "Served" means they will be in a program that meets their educational needs--an appropriate education program providing them with special education and related services.

PL 94-142 specifies first and second priority children to be served by September 1, 1978. First priority children are those children not currently served at all, meaning children who are not in any school program. Second priority children are those who are in a program, but one which is not appropriate to their needs--does not provide all the special education or related services needed. The period between fall 1977 and fall 1978--when the law requires that children be identified and have IEPs specifying certain special education programs and related services, but does not require that these all be operational--is a gear-up time.

BB: According to my state law the state educational agencies are required to provide full educational opportunities for all handicapped individuals by 1980. Is that a discrepancy or not?

LF: Identification of terms is the discrepancy, because the "full educational opportunities" goal is much different from "special education services and related services." The full educational opportunities goal may never be met: it is a goal of full service to all children up to 21 years of age. PL 94-142 says that each state's law will set the years; in my state that turns out to be ages 5 to 18, so the goal of full educational opportunities may never be met unless we change our state law to meet that goal.

DN: In Michigan the full educational opportunities goal for handicapped people is 0 to 25; this very much exceeds the federal law, which says ages 3-21 by 1980 unless state law, court order, or practice is different. In Indiana, the state law says 5-18, in Virginia it is 2-21, in Michigan it is 0-25, the most extensive of any state in the country. Forty-nine of the 50 states had mandatory special education laws prior to the passage of the federal law, and many of their laws extend beyond the federal law.

BARBARA WHITE: In writing IEPs, we haven't yet involved parents, nor the regular classroom teacher, where the student is recommended for the regular classroom. The special education teacher working with the child writes the IEP and gives it to the appropriate administrator. We have a long way to go in conforming to the federal mandate involving parents, and I see a great need to let parents know what specific plans are being made to help their children educationally.

RC: If the IEP hasn't been written, what should the teacher do?

DN: The teacher can do a number of things. The law requires that the child have an IEP in order to be counted for federal funds. In the state

department of education there should be an annual approved plan for how the state education agency will establish procedures for writing IEPs, developing comprehensive personnel development programs, and helping teachers and administrators learn to write IEPs. It should describe the state's efforts to monitor the development of IEPs in each local education agency. If this is not being done, then the teacher first could ask questions locally: How is the school district complying with the law? Ask to see a local application to the state department of education for the use of federal funds. If there is no local application or it hasn't been accepted or it does not include provision for IEPs, then teachers can make complaints individually to the state department of education or the Bureau of Education for the Handicapped (BEH) of the U.S. Office of Education. Or the teacher can go to the state education association--which might be better--and the education association then may work with the state department to see that there is compliance with the law. The local and state education associations may want to work with parent groups in the community and in the state to insure that the state education agency is in fact monitoring local development of IEPs.

Another effective way: In my state a BEH team has investigated compliance with the federal law. When these teams come into a state, they talk with people in the state department of education regarding their policies; but they also want to talk with parents and teachers. It's not difficult to find out from the NEA or other sources when a state is to be investigated; you can simply call or write the NEA and ask if there will be an investigation. The efforts of the BEH, professional organizations, and parent organizations are intended to be helpful. This is a major change in policy and in practice; the idea is to help people do what the law requires, and what is right for handicapped children. At this point, the idea of asking for or participating in an on-site visit is to hurry the process along, to develop a sense of urgency on the part of the state department of education.

RC: In your experience, how long does it take to write an IEP?

LF: It depends totally on the people sitting around the table. Some of the meetings took half an hour, some an hour; but in some places they wrote 14-page IEPs--they wrote curriculums. My basic IEP--excluding the short-term goals, which change from time to time throughout the year--is two pages.

BW: In deciding the program for a child who might be included in special education, we have had the experience that too many professionals were there--six, seven, or eight professionals with the parent. We should be careful not to have too many professionals--psychologist, social worker, nurse, counselor, reading teacher--dealing with the parent at one time about the needs of the child, because the parent becomes overwhelmed by educational jargon.

LF: I would agree--under no circumstances should an IEP meeting have seven or eight professionals vs. one parent. In our state a case

conference committee meeting is called, usually at a time of referral and identification. From that large group, the team that actually writes the IEPs probably is cut down to teacher, administrative representative, parent, child, and maybe one other person. If the parent wishes, an advocate may be present. The school may want a regular teacher or a special teacher--or both--to be there. But most of the teams that actually wrote the IEPs were composed of three adults and the student.

The involvement and interest of the parent sometimes make the IEP time span longer, sometimes shorter. I had some very involved parents who were able to deal with the IEP issue by issue, straight down the page, and it took a half-hour at most. We dealt with what was needed, and since the child was present we were able to ask what he or she wanted. I believe the children themselves have a part to play in the decision making. If a parent were to say, "My child will be 12 next year, so he will go to sixth grade music," that child would immediately say, "Mother, I can't read that well." And the mother would instantly back up and ask, "Where would be the best place for you to go?" The issues were dealt with very openly. The writing time is the minimum time; the discussion time is what is important.

GERRY GRIPPER: In my district the concern is not so much with writing the IEP, which many times is just a matter of putting down on paper what is in the teacher's head. Teachers are getting used to writing objectives since we are evaluating by objectives, and we can capitalize on that experience in writing IEPs. But the concern is more with the time, with having to take the half-hour or hour.

DN: That will depend on the nature of the handicap. Children who are in a special education program simply for speech therapy, for example, and meet three times a week for a half-hour with a speech therapist, will have a much less extensive IEP that will take less time in conference and in writing than a child who is severely multihandicapped and needs physical therapy, occupational therapy, speech therapy, special services for transportation, special assistance for self-help needs, and so forth. Usually, these children are not going to be in general education programs anyway.

But much of that communication is a good investment in time as far as everybody--the teacher, the child, the parent--is concerned. Most school systems have parent conferences at report card time to talk about a child's progress, how the child is doing, what we need to do next. Also, telephone calls are made between the home and the school. If everyone is operating from the same communication base initially, a lot of problems are avoided.

LF: My communication with parents has always been good, but this year it is even better. A rapport seems to have been established. With a couple of new children, for whom I did not do the IEPs last year, I had to start over and establish a communication base. So I know the communication from the original writing carried over, while communication from a meeting on the first day of school or a couple of telephone conversations did not carry over.

GG: My district seems to be taking a different approach. It currently has a pilot project where the IEPs are being written, but the special education teachers within that school are responsible for writing them. The regular classroom teachers in those schools are not yet being involved except on a consulting basis.

DN: Is the special education teacher sitting down in a room alone and writing the IEP?

GG: Not necessarily, but the special education teacher is responsible for seeing that it gets done. They are using a three-member team--the special education teacher, the parent, and the local program manager, administrator, or a designee.

DN: For the purpose of time and communication that may be an efficient way for some schools to do it.

LF: Most of the IEPs that are now written are for children who were already identified and in special education placement. The special education teacher is the teacher referred to by the law, so it's correct that the special education teacher was involved in all of these.

GG: If the special education teacher has been dealing with 20 or 30 children up to now, then that means 20 or 30 times a half-hour each for the conferences.

DN: When you talk about 20 or 30 at once, that is because the law went into effect October 1977, and all those children had to have IEPs in order to be counted. School districts that waited until the last minute to help teachers learn how to do this were then in a crush.

Now what happens after fall 1977? Each of those children has an IEP. Each child that comes into the special education program must have an IEP 30 days after being found eligible, so these will filter in throughout the year. The IEPs are redone at least annually, so at the anniversary date for the child there will be another IEP. There should not be another crunch of writing IEPs at any time.

BW: I can see real problems when regular education teachers start to write IEPs. Where there might be five or six children mainstreamed into a regular classroom of 30 students and the teachers have to participate in writing these plans but have no released time except before or after their contractual teaching day, I can see resentment about the time constraints.

DN: Reasonable practice would suggest whether the general classroom teacher is in the actual IEP conference or not. Teachers, whether general or special, have different perceptions of the range of normal. There are

sixth graders of normal intelligence who read at the fourth grade level, at the third grade level, at the ninth grade level--a considerable range of individual differences in any given classroom. Teachers differ in their flexibility, in their ability to individualize. It is certainly reasonable to talk with a general educator about how that child appears to mesh socially and academically with the other children in the classroom. If the child is a lot larger or a lot smaller than other children of that class, if he or she is much older or much younger, if the level of academic ability is significantly different--all of those things need to be considered. Whether or not general education teachers are actually sitting down in the IEP discussion, they should certainly be consulted.

RC: That's what regular teachers have been saying: if I am a sixth grade language arts teacher and the IEP team has placed that child in my classroom, I want to have a say whether that child should be in my classroom. In fact, can we say that the IEP is not an appropriate IEP until all of the receiving teachers are involved in the IEP placement?

DH: I don't believe we can say that according to the law or the regulations. It is important to help the general education teacher understand that handicapped children have characteristics and symptoms of their handicap that make them exceptional, but they also have characteristics that are more like other children than not. A handicapped child who is retarded is not totally handicapped or totally mentally retarded. The label "mental retardation" or "learning disabled" doesn't give the child total identity: his or her many normal characteristics need to be considered too. In the development of educational programs, the child is looked at from strengths and from needs.

JB: I believe the problem comes from the time frame that has been set up. Regular classroom teachers are very concerned about the law and its implementation and the possible placement of handicapped children in their classrooms. And their concern may be from the lack of understanding or a need for an inservice program. In my state we have multidisciplinary teams, and it is part of the state law that the regular classroom teacher who has a handicapped child be involved in that team, not necessarily in planning the entire IEP. But the communication is vital. As a regular classroom teacher I want to know as much as possible about the child who is in my classroom and what I might do to adapt my curriculum--not just provide large-print books or magnifying glasses, for example.

BB: As a general classroom teacher, I have certain expertise which would be very valuable. I would like ownership in the decisions about that child and what is going to be done, so that the child isn't just there, but I have had a part in what's going to happen in the program.

RC: One local affiliate of the National Education Association has gone on record as saying that if teachers are not involved in the IEP team, then they should not teach the handicapped child.

DN: I would rather talk about how the child is going to be educated effectively when all of the people who are involved have input and ownership. That is a good word to use. People who are involved from the beginning, who care enough to inform themselves and to work out a program for a child, are much more likely to carry out that program to the benefit of all children. The problem becomes one of time and one of involving parents with too many professionals, and that is intimidating.

There are a number of ways to get involvement with teachers. Teams of teachers will frequently work together in developing a program for their students. They may deal with one individual child, or with the whole group of children. Those teachers talk about how each of them sees that child--in different classes, at different times of the day, and in different situations--and what they see as that child's needs. Then one representative takes the group's consensus about one child to an IEP meeting, and someone else takes the group's consensus about another child to another IEP meeting. The IEP process may very much need to be like this. Whatever practice is efficient and involves as many people as possible seems most reasonable. I hope the local association would work in that spirit of cooperation.

LF: I agree that outright refusal to take a child for these reasons puts us in a very bad position. I'd much rather approach it from the positive viewpoint, that we are going to do the very best we can do for this child under these situations but then work behind the scene to solve the problems.

RC: However, the local association I mentioned feels it is in the best interest of the child that the law be complied with, that all the people should be there, and that when they aren't present, the noncompliance should be brought to the attention of the Bureau of Education for the Handicapped and remedied.

LF: We should take another look at the final Rules and Regulations of PL 94-142, which say "teacher or teachers." "Teacher" could mean one. Particularly, at the middle school or high school level where a number of teachers are involved with one child, we have found there is no way all those teachers can be free at any time when we can get the administrative representative and the parent there, unless we call off school for weeks. So one teacher represents the group of teachers working with the child. We've also discovered that once we have talked with teachers more about what PL 94-142 really is and really says, the fear factors have been reduced, acceptance has become much greater, and special education teachers can more easily receive information about a child.

BW: We regular education classroom teachers have to be careful, in our pursuit of extra education for special education students, that the regular education classroom teacher doesn't become the fall guy in the process of developing IEPs. If a child is going to be taught partially or full-time by a regular education teacher, it's vital that the teacher have the time to be involved in developing this plan. There is a great deal of frustration that all of these add-ons are being given to the regular classroom

and teachers are told, "You shall do this--here's the plan," yet they don't have ownership because they haven't been involved. Then people say, "See, regular education teachers don't want to accept special education teachers." Across the country, the person who spends the majority of time with a child often isn't the one who is completely involved in planning the child's program; the specialists who have the time to move freely are.

RC: How do teachers get the time?

BW: It becomes apparent that we need released time for this activity and that we must negotiate it. We are actively involved in preparing a program for the child, and there is no choice but to negotiate it because people say, "There is no money, you're not professional if you're not willing to give extra time other than your professional day." All these add-on responsibilities create anger in the persons who are constantly giving of themselves. There must be fair and equitable released time for everyone involved in this process.

GG: Our state doesn't even have a law guaranteeing duty-free lunch yet, and there is no released time for very important activities; although some local systems do have both duty-free lunch and planning time. In such situations, it is incumbent on the local education association to help build a very persuasive argument to show why teachers need the released time. Although that is not as effective as the negotiation process, it certainly can be secondarily effective.

JB: One concern is that the preparation and writing of the IEPs have cut down the face-to-face contact with the handicapped children. A survey of special education teachers by our education association phrased the question this way: Compared to last year, how much of your time is spent face-to-face or "hands-on" with the children this year? Many of them felt that it had dropped from 100 percent last year to 61 percent; their opinion was that the writing of the IEPs was taking just too much of their day. That finding helps to substantiate a need for released time.

DN: I have two responses to that. First, the great deal of time it took to get all the IEPs ready for those children who were in programs as of October 1, 1977, will not be repeated because those children now have IEPs. It will now come in smaller doses as individual children enter programs.

RC: Don't the IEPs have to be reviewed annually, though?

DN: Yes, but they don't have to be reviewed all in the same month; they can be spaced throughout the year. And then new children don't all come in at the same time, so that process is spread out through a year.

The second issue is larger than the special education issue; it affects planning and work with all children. How much value is it to work with children "hands-on," if that work is not directed to their specific needs, as a result of diagnosis of their special needs? We can work for hours and hours with a child, but if we're not directing our instruction to that child's particular needs for specific outcomes, with a way of evaluating those outcomes, then the value in spending time with that child is very much reduced. It may be that if teachers know how to diagnose, to plan, to evaluate outcomes of learning in children, then time spent in planning as a result of specific diagnosis can really result in more effective programming for children: they can actually learn more in less time spent with the teacher. My concern is not so much whether a teacher is spending more or less time with a child, but the quality of the time spent, and whether teachers are prepared to deal with a child in a diagnostic, prescriptive fashion.

GG: Many teachers have skills that should be directly correlated with the writing of an IEP. Capitalizing on skills that are already learned for writing objectives would lend quality and efficiency of time use. I would assume that after I had written an IEP, I would be able to evaluate whether the amount of time was time well spent or too long, based on the educational outcomes. The response to the survey, which was just at the end of October, probably came at an inopportune time because of all the IEPs teachers had to write by October 1; in the years to come, they would probably see the IEPs as more beneficial.

RC: Would you recommend that local associations carry out such surveys of members?

JB: I believe it is important to know the teachers' feelings. If you use a survey, it should be very objective, trying to get at the possible solutions to problems you're having with the implementation of PL 94-142.

RC: The NEA, in its needs assessment survey, has four questions about the implementation of the law, and that information will be made available to members.

BW: We can also work very closely with parents. Our local district has prepared a booklet for parents, which is distributed to them before they arrive at a meeting, so that they know a little bit about what's going on. The same thing might be done for teachers who may wonder, "What is my job in this meeting?"

Also, each school district in my state has a parent advisory committee in relation to special education laws. Last year a survey sent out to teachers in our local school district was shared with the parent advisory group, which did the work for us by going to the school board and helping remediate the situation. We as teachers, and through our local associations, must build a strong bond with the parents of special education students and know those advisory committee members.

SECTION II
LEAST RESTRICTIVE ENVIRONMENT

(Rules and Regulations)

GENERAL

Each State educational agency shall insure that each public agency establishes and implements procedures which meet the requirements of [the following paragraphs].

Each public agency shall insure: (1) that to the maximum extent appropriate, handicapped children, including children in public or private institutions or other care facilities, are educated with children who are not handicapped, and (2) that special classes, separate schooling or other removal of handicapped children from the regular educational environment occurs only when the nature or severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

CONTINUUM OF ALTERNATIVE PLACEMENTS

Each public agency shall insure that a continuum of alternative placements is available to meet the needs of handicapped children for special education and related services.

The continuum . . . must: (1) include the alternative placements listed in the definition of special education . . . (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions), and (2) make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

PLACEMENTS

Each public agency shall insure that:

(a) Each handicapped child's educational placement: (1) is determined at least annually, (2) is based on his or her individualized education program, and (3) is as close as possible to the child's home;
(b) The various alternative placements . . . are available to the extent necessary to implement the individualized education program for each handicapped child;
(c) Unless a handicapped child's individualized education program requires some other arrangement, the child is educated in the school which he or she would attend if not handicapped; and
(d) In selecting the least restrictive environment, consideration is given to any potential harmful effect on the child or on the quality of services which he or she needs.

Comment. [This section] includes some of the main factors which must be considered in determining the extent to which a handicapped child can be educated with children who are not handicapped. The overriding rule in this section is that placement decisions must be

made on an individual basis. The section also requires each agency to have various alternative placements available in order to insure that each handicapped child receives an education which is appropriate to his or her individual needs.

The analysis of the regulations for Section 504 of the Rehabilitation Act of 1973 . . . includes several points regarding educational placements of handicapped children which are pertinent to this section:

1. With respect to determining proper placements, the analysis states: ". . . it should be stressed that, where a handicapped child is so disruptive in a regular classroom that the education of other students is significantly impaired, the needs of the handicapped child cannot be met in that environment. Therefore regular placement would not be appropriate to his or her needs. . . . "

2. With respect to placing a handicapped child in an alternate setting, the analysis states that among the factors to be considered in placing a child is the need to place the child as close to home as possible. . . . The parent's right to challenge the placement of their child extends not only to placement in special classes or separate schools, but also to placement in a distant school, particularly in a residential program. An equally appropriate education program may exist closer to home; and this issue may be raised by the parent under the due process provisions of this subpart.

NONACADEMIC SETTINGS

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth [under "Nonacademic Services"], each public agency shall insure that each handicapped child participates with nonhandicapped children in those services and activities to the maximum extent appropriate to the needs of that child. . . .

--Excerpted from: "Rules and Regulations," Federal Register 42 (163): 42197; August 23, 1977.

LEAST RESTRICTIVE ENVIRONMENT

(Discussion)

RICHARD CORTRIGHT: *According to Public Law 94-142, the individualized education program determines the placement of handicapped students. What is meant by placement in the "least restrictive environment"? Does this mean that all handicapped children will be placed in the regular classroom?*

JIM BLANK: No, the wholesale mainstreaming of handicapped children into the regular classroom, without any regard to the child's individual needs, certainly is not the intent of the law. The intent of the law is to place the handicapped child in the least restrictive environment, the environment that the IEP determines to be most appropriate for that child.

The key factor in determining placement in the least restrictive environment is the individual student's needs, and those must be determined on an individual basis.

There are several considerations for placement in the least restrictive environment. One is that a handicapped child should be placed in the school closest to home, unless the most appropriate program for that child is in another school. For example, a visually impaired student may need only the use of large-print materials and a magnifying glass. A physically handicapped student, although in a wheelchair, also may be able to participate in a regular classroom; however, the building closest to the student's home may not be the least restrictive environment for that student if it is a two-story building--then the student might need to be placed in a one-story school building.

Differences in teaching styles are a consideration. Another is the potentially harmful effect that a placement could have on the child or on the quality of services. An example of improper placement would be if a mildly mentally handicapped child were to be kept full-time in a special class, when he or she could be participating in regular art, physical education, music, and other activities such as recess and the lunch period. There are other considerations in the area of nonacademic and extra-curricular activities. All things that nonhandicapped students may participate in within the school setting--such as athletics, music, special interest groups, and clubs--must be made available to the handicapped child, unless the handicap prevents her or him from participating.

The least restrictive environment should be the environment in which that student is able to achieve at his or her greatest potential; it can range from placing that student full-time in a regular classroom to institutionalizing the student in a very restrictive environment. I've asked other regular classroom teachers: As an outcome of the IEP, have you found that handicapped children have been properly placed in the least restrictive environment? In some situations they say yes; in probably a majority of the cases, however, teachers I have spoken with have felt that the children have not been placed according to what the teachers interpret as the least restrictive environment.

In my state, what we have found is that the students, in effect, are being mainstreamed. "Mainstreaming" to teachers means placing all handicapped students in the regular classroom without regard to whether that is

the best or the least restrictive environment for those students to achieve their educational goals. And the students are placed in the classrooms of teachers with little or no experience or inservice training about how to deal with the handicapped child. In some instances, special education teachers have become supervisors; the handicapped children are mainstreamed into the classroom and now, instead of taking the student out of the classroom and working with that student, handicapped education teachers have to work on a short-term basis with the regular classroom teacher. So it has been left up to the local school districts to determine the least restrictive environment, and there is great variance.

If the nature or the severity of the handicap is such that with supplementary aids the child cannot be educated in regular classrooms, then special classes or other placements are warranted. The Regulations for Section 504 of the Rehabilitation Act of 1973 [Public Law 93-380] state that where a handicapped child is so disruptive in regular classrooms that the education of other students is significantly impaired, the needs of the handicapped child cannot be met in that environment. Therefore, regular placement would not be appropriate for his or her needs.

I believe there has to be a high degree of professional responsibility to implement the law, to benefit the handicapped student. What it really means to take a look at that child's individual needs is no different than for any individual need of any regular student. We must ask, "What will meet his or her needs to the highest and most effective or efficient degree?" and "What is best for the interests of that child?" But let's not "dump children" by mainstreaming them wholesale.

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LAURA FOUNTAIN: I'd like to give my own personal short version of the definition of the least restrictive environment for the students I work with: if they are comfortable--physically, emotionally, socially, and most of all educationally--I feel they are placed appropriately in the least restrictive environment. But any discomfort in any of those areas would tend to bother me.

DIANNE NEWKIRK: A number of issues will have to be interpreted according to the local situation and administrative concerns, but there are some specifics in the regulations for PL 94-142, and also under Section 504, such as that handicapped children should be educated with normal children to the maximum extent possible. Where children are placed in special classes, or have separate schooling or other removal from the regular educational environment, it's because the severity of the handicap is such that education in the regular class, even with the use of supplementary aids and services, can't be satisfactorily achieved. When we think of special education, we consider a continuum of placement alternatives for children who are handicapped. Instruction may be provided in regular classes, in special classes, in special schools, at home, or in hospitals and institutions. On one end of a continuum of alternative placements for handicapped children would be a program where a child is full-time in a regular classroom and the teacher of that child receives

consultant services. If the appropriate placement is in the regular class, then the school system needs to make provision for supplementary services, such as resource rooms or itinerant services. For example, with a hearing-impaired child whose learning is normal in every other way, teachers may need some advice on how to seat the child properly, how to help the child direct his or her attention in order to get maximum use of the hearing. The hearing aid may need to be checked. And all this wouldn't require anything more than an itinerant teacher to check occasionally on what was happening.

The next level of alternative placements would be for a child to spend the majority of the day in the general education classroom, and go for part of the day to a special education environment. For example, children who have learning disabilities need special assistance in their areas of learning disability, but for the most part their learning is normal. Next might be a part-time self-contained classroom/part-time general education placement, for mentally retarded children who can function effectively with normal children, but who need special education in academic areas and perhaps in some social skills.

Then we go to a full-time special education placement in a self-contained class, but in a regular school environment, for children who for all or most of the day must be with children whose needs are more like theirs. The next level might be a special day school that is a separate facility. It might be a school for the multiply-handicapped, or a school for the child who is severely hard of hearing and needs special equipment and special language instruction all day. Next might be programs for children who are full-time in residence 24 hours a day; because of their educational needs, they must be out of the home and in an institutional setting.

Each state is required to provide the total range of alternative placements for children. The question becomes: Where on this continuum at any given time is it appropriate to place a child? The danger is to underestimate the special needs of a child and to give only consultant service to a teacher, to save money, when what is actually needed is part-time placement of the child in a special class.

RC: What happens if a child is not placed in the least restrictive environment?

DN: The parent of the handicapped child has the right and the responsibility to bring it to the attention of the school system. It may be that the child is placed in an environment that is too restrictive, that is removed from the education of normal children, when he or she can actually benefit from education with nonhandicapped children. Or it may be that the child is placed in a regular education classroom program and is not given enough special education services to meet his or her needs. Frequently, teachers are in the best position to inform parents whether or not a child is appropriately placed in the least restrictive environment, so the parents can follow through.

GERRY GRIPPER: Where PL 94-142 differs greatly from legislation in the past is in the role of the parent. The law requires that there be an

organized system of appeal if the parent does not agree with the IEP. However, along with that right goes a responsibility for the parents to be able to understand the information given them and make judgments based on that information. And I don't believe we can assume that all parents will have those skills. So there is a tremendous responsibility to educate the parents, not only in terms of understanding, but what to do if they disagree with the placement.

BETTY BROWN: According to the law, then, only the parent can bring this up--the teacher would have to work through the parent?

DN: No, the teacher can bring it to the attention of the IEP committee and to the administration. The responsibility of the teacher under the IEP is to inform both the parent and the administration, in the same way that we make out report cards now to inform parents when children are not performing according to usual standards or seem not to be benefiting from the programs in which they are placed.

RC: Let's say I am a regular second grade language arts teacher, and I don't think that a certain handicapped child should be in my class. What can I specifically do?

DN: First, if the teacher has not been a part of developing the IEP, he or she should ask to see it. If the IEP states that the child should be placed in this classroom for this period of time and the teacher feels it is inappropriately written, then the teacher can request that the IEP committee meet again, or can talk with the individual members on the committee regarding the child's functioning level in that classroom. If a child is not functioning academically, that is not difficult to document.

RC: But I don't have the right under the law to call the meeting, do I? Can I say to the parent and to the local education agency, I want a meeting for replacement?

DN: I don't believe it's so much a question of a right under the law to call a meeting as a responsibility under the law to inform all the people involved, particularly the parent, that this child is not meeting the short-term objectives toward the annual goals of the IEP, and to ask the parent, the school administrator, and the team to meet and reconsider.

LF: I agree that I'm not sure PL 94-142 says exactly who calls this meeting; it probably depends more on state law or local policy. In my state, we have found it a problem getting local policies about the ability of team members to reconvene. But when I have had a request for a change in program, it has been as simple as going to my counselor, then contacting the parent by phone and saying, "Your child is not working well in this

situation." Given the facts, the parent has agreed over the phone, and has given me permission to document the change. But in some places we have had the problem of just getting the group together again.

GG: Teachers also must not assume that the parent will always automatically bring concerns to the attention of the IEP team. Teachers must assist in the education of parents, to help parents feel comfortable in contacting the team.

JB: I believe teachers have a responsibility, if they feel the child is inappropriately placed, to go to the authorities or even to the local education association. They should try--either through contract negotiations or whatever other means are available to them--to get a reevaluation of that placement. I understand the NEA has prepared sample contract language for that purpose.

GG: In the pilot projects that are now in effect in my district, the administrator or a designee at the school or work location is a part of the team. The program manager, above and beyond PL 94-142, is charged with responsibility for maintaining a sound instructional environment. It seems incumbent on the teacher to say to the principal, "The instructional environment is not as sound as it should be. Let's do something about it." Then it would be incumbent upon the program manager or the principal to work that out.

Also, in some states or local districts there probably are policies within school board regulations that would attempt to enforce a sound instructional environment. So there may be the route of grievance or complaint procedure, whatever tool is available to the local teachers to work out problems.

BARBARA WHITE: In our local school district, through negotiations, we have an article on special education specifications, and if classroom teachers disagree with the placement of the child we do have a section which says that any teacher may request reconvening of the committee for recertification or review of the case. It was a very big issue in bargaining two years ago, and currently we are operating under this system. In fact, in our school three children who were put into resource rooms where it was inappropriate have had their programs changed already this year.

BB: However, when this has been done, the meeting was held when I could not attend and the decision was actually made by people other than those who worked the most with this child. So even though we have this section in our local contract and can request a meeting, whether anything is done with that request, or whether a decision is reached with our input, is questionable.

DN: One of the benefits of PL 94-142 to both special and general education teachers is that for the first time the teacher is recognized as

one of the professionals who must be present at IEP meetings. State laws and regulations almost entirely involve placement and evaluation procedures which specify that administrators be present, that psychologists, medical doctors, social workers be present. There is almost a total exclusion of the teacher and the parent, the two people who know that child best. PL 94-142 gives an opportunity for the teacher and the parent to insist that they be present.

RC: Do you believe a policy should be implemented in all states, to give any teacher the right to ask replacement? I know one state has passed this provision in state legislation.

BW: What we want is the right for a reconsideration; not to preconceive what program they should be in, just the right to review a case. It is nice to say we should work with the parent, but teachers are often too timid to ask. I don't believe it is realistic to assume we are going to say to the parent, "You should be concerned, because I don't believe your child has the right placement." Three-fourths of the parents just want their children to be happy in school and get a good education. And often the school district believes we are conspiring with the parents against the school district. It can be very ticklish, and a lot of teachers won't put themselves on the line to do that.

GG: If the law--be it the federal or a state law--requires an organized avenue of appeal when parents disagree with the IEP, maybe there should be a similar, organized appeal for teachers also.

DN: The IEP does requires that the teacher inform parents regularly about the progress of the child. That is good educational practice anyway, and the teacher wouldn't be going out on a limb to tell parents the child is not doing well, that there might be a more appropriate situation. Also, most state regulations have provisions for reevaluation of the child, not just what is required by federal law, which is a review annually and a complete reevaluation every three years. It is possible to request reevaluation more often if there is indication of need; all a teacher has to do is document in writing that this is needed. You are responsible for informing people that the child is in need of reevaluation because he or she doesn't appear to be succeeding or progressing in that environment. But any other kinds of appeal probably will have to come through litigation.

BW: I feel it is a fallacy, though, to believe we can tell parents, "Perhaps your child is inappropriately placed; he (or she) isn't making the progress we hoped." In my experience, parents will do anything to have the child go back to the regular classroom--even though he or she is three years behind in reading, perhaps is in the fourth grade and still doesn't know the alphabet. It is just the emotional relief--"My child is a regular kid again."

DN: Some other points of least restrictive environment need to be brought out. One is the idea that children are to be educated as close as possible to their homes. To be bused for miles for a special program is very hard on handicapped children. Some of those handicapped children who need a special center are on the road 120 miles a day, round trip. And it's done frequently now for administrative convenience rather than what's best for the child.

Another component of least restrictive environment has to do with nonacademic settings. Whenever possible, handicapped children must have lunch in the cafeteria and playground rights with nonhandicapped children. They must have access to extracurricular activities, vocational programs, sports programs, and scouting programs that are sponsored by the schools. The least restrictive environment extends to all services and activities that are available to children of public school age. We overlook this concept because we are concerned with what actually happens in the classroom, but the total life environment of handicapped children needs to be expanded where appropriate. Simply because a child is mentally retarded, or blind, we cannot exclude her or him from all the various school activities.

RC: Should there be any modification in the grading procedure for handicapped children who are placed with regular students, or should they be treated exactly like everybody else and graded that way?

DN: We have blind children and deaf children and physically handicapped children and mentally retarded and emotionally disturbed and learning disabled; and then we have combinations of a variety of handicaps. Children who have a speech impairment, and children who are blind or deaf, are normally intelligent. In regular classes, they need to be dealt with as all children are, according to whatever grading system is available. The grading problem comes up where children are mildly retarded, learning disabled, or emotionally disturbed and may, because of those problems, have other difficulties dealing with competitive situations.

RC: Should they be graded differently, then?

DN: What is grading? How should all children be graded? Should grading be competitive? Should it be on the bell curve? Should it be on the basis of how children improve? Should it be on the basis of how much effort they put in? Should it be different for different subjects? I would hesitate to answer that question specifically on the basis of the child who has a handicap, if we are not going to talk in the larger context of what grades mean and what they don't mean and how we use grading for all children.

BB: For a child with a physical handicap and no other handicap, my expectations as a regular classroom teacher would be the same as for the other children. If we are talking about a child with a mental handicap,

then my expectations would have to allow for individual differences, just as with the other children in my classroom. That is a difficult decision to make. Because I teach sixth grade, I realize philosophically I cannot change the "system." When my sixth graders get to junior high school, they go into a graded system of As, Bs, Cs, Ds, and Fs, so part of my responsibility is to prepare them for this and to know what will be expected of them. If these handicapped children will be following that same procedure at the junior high school level, then it is only fair that they be exposed to that and learn to cope with it. We allow as much as possible for individual differences, the fact that we all learn at different rates, and try to keep their self-image good. But we cannot shelter them. We cannot make exceptions--"because of this you won't be expected to do that"--if, in the real world, they will be expected to do it. This, to me, is the purpose of getting them back into the regular classroom.

SECTION III
COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT

(Rules and Regulations)

SCOPE OF SYSTEM

Each annual program plan must include a description of programs and procedures for the development and implementation of a comprehensive system of personnel development which includes:

(a) The inservice training of general and special educational instructional, related services, and support personnel;
(b) Procedures to insure that all personnel necessary to carry out the purposes of the Act are qualified . . . and that activities sufficient to carry out this personnel development plan are scheduled; and
(c) Effective procedures for acquiring and disseminating to teachers and administrators of programs for handicapped children significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices and materials developed through those projects. . . .

INSERVICE TRAINING

As used in this section, "inservice training" means any training other than that received by an individual in a full-time program which leads to a degree.

Each annual program plan must provide that the State educational agency: (1) conducts an annual needs assessment to determine if a sufficient number of qualified personnel are available in the State; and (2) initiates inservice personnel development programs based on the assessed needs of Statewide significance related to the implementation of the Act.

Each annual program plan must include the results of the needs assessment . . ., broken out by need for new personnel and need for retrained personnel.

The State educational agency may enter into contracts with institutions of higher education, local educational agencies or other agencies, institutions, or organizations (which may include parent, handicapped, or other advocacy organizations), to carry out: (1) experimental or innovative personnel development programs; (2) development or modification of instructional materials; and (3) dissemination of significant information derived from educational research and demonstration projects.

Each annual program plan must provide that the State educational agency insures that ongoing inservice training programs are available to all personnel who are engaged in the education of handicapped children, and that these programs include: (1) the use of incentives which insure participation by teachers (such as released time, payment for participation, options for academic credit, salary step credit, certification renewal, or updating professional skills); (2) the involvement of local staff; and (3) the use of innovative practices which have been found to be effective.

Each annual program plan must:

1. Describe the process used in determining the inservice training needs of personnel engaged in the education of handicapped children;
2. Identify the areas in which training is needed (such as individualized education programs, non-discriminatory testing, least restrictive environment, procedural safeguards, and surrogate parents);
3. Specify the groups requiring training (such as special teachers, regular teachers, administrators, psychologists, speech-language pathologists, audiologists, physical education teachers, therapeutic recreation specialists, physical therapists, occupational therapists, medical personnel, parents, volunteers, hearing officers, and surrogate parents);
4. Describe the content and nature of training for each area [under 2 above];
5. Describe how the training will be provided in terms of (i) geographical scope (such as Statewide, regional, or local), and (ii) staff training source (such as college and university staffs, State and local educational agency personnel, and non-agency personnel);
6. Specify: (i) the funding sources to be used, and (ii) the time frame for providing it; and
7. Specify procedures for effective evaluation of the extent to which program objectives are met.

PERSONNEL DEVELOPMENT PLAN

Each annual program plan must: (a) include a personnel development plan which provides a structure for personnel planning and focuses on preservice and inservice education needs; (b) describe the results of the needs assessment . . . with respect to identifying needed areas of training, and assigning priorities to those areas; and (c) identify the target populations for personnel development, including general education and special education instructional and administrative personnel, support personnel, and other personnel (such as paraprofessionals, parents, surrogate parents, and volunteers).

DISSEMINATION

Each annual program plan must include a description of the State's procedures for acquiring, reviewing, and disseminating to general and special educational instructional and support personnel, administrators of programs for handicapped children, and other interested agencies and organizations (including parent, handicapped, and other advocacy organizations) significant information and promising practices derived from educational research, demonstration, and other projects.

Dissemination includes: (1) making those personnel, administrators, agencies, and organizations aware of the information and practices; (2) training designed to enable the establishment of innovative programs and practices targeted on identified local needs; and (3) use of instructional materials and other media for personnel development and instructional programming.

ADOPTION OF EDUCATIONAL PRACTICES

Each annual program plan must provide for a statewide system designed to adopt, where appropriate, promising educational practices and materials proven effective through research and demonstration.

Each annual program plan must provide for thorough reassessment of educational practices used in the State.

Each annual program plan must provide for the identification of State, local, and regional resources (human and material) which will assist in meeting the State's personnel preparation needs.

EVALUATION

Each annual program plan must include:

(a) Procedures for evaluating the overall effectiveness of: (1) the comprehensive system of personnel development in meeting the needs for personnel, and (2) the procedures for administration of the system; and

(b) A description of the monitoring activities that will be undertaken to assure the implementation of the comprehensive system of personnel development.

TECHNICAL ASSISTANCE
TO LOCAL EDUCATION AGENCIES

Each annual program plan must include a description of technical assistance that the State educational agency gives to local educational agencies in their implementation of the State's comprehensive system of personnel development.

--Excerpted from: "Rules and Regulations," Federal Register 42 (163): 42492-93; August 23, 1977.

COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT

(Discussion)

RICHARD CORTRIGHT: *According to Public Law 94-142, both regular teachers and special education teachers are to receive the training necessary to implement the law. What do teachers need to know to implement the individualized education programs in order to teach handicapped students?*

GERRY GRIPPER: In my opinion, several avenues should be explored by districts to help teachers write and implement the IEPs. First, teachers need accurate information about PL 94-142. Many of the fears and frustrations about the law stem from the unknown; accurate knowledge may help to overcome much of this. Second, teachers need information on the physical and psychological characteristics of handicapped children; they need to know that handicapped children are more like other children than they are unlike other children. Inservice probably will be handled best through the teacher center approach, where educators with different backgrounds and expertise can share their knowledge and experience related to education for the handicapped. Third, teachers can capitalize on existing skills in writing and implementing the IEPs. Many teachers write objectives for evaluation purposes; IEPs simply call for writing objectives in a different form.

The point is clear: educators need deliberate, planned, and comprehensive experiences to help write and implement IEPs. By and large, the masses of teachers are not currently being prepared; in fact, a vast majority are not even aware of the content or the implications of the Education for All Handicapped Children Act. In my district, I believe it's safe to say that the average teacher in the field still has no idea what PL 94-142 is about, let alone its implications. I come from a fairly large system with 130,000 students and some 8,000-9,000 professionals--teachers, aides, and principals. I personally learned about the Act through a meeting sponsored by my local education association. The other attendees at that meeting were regular education teachers in elementary and secondary schools, and not a person in the room had any awareness of PL 94-142; it took us completely by surprise.

As far as what has been done or what is now being done, I found that my district is running a pilot project with a handful of schools in the system. Within this pilot project the special education teacher, the administrator or designee, and the parent form a team that writes out the IEP. The special education teacher is charged with the responsibility of seeing that it is written. The only time the regular education teachers are involved, on a resource or reference basis, is when the special education teacher makes the contact. There seems to be some confusion as to whether, once the pilot project is over, this type of model will be the norm for the rest of the district. The feeling is that teams of administrators from the central offices will work with those special education teachers within the pilot schools to train special education teachers in other schools.

The worry on the part of the regular classroom teachers is: what happens if this model doesn't work? I asked the leader of the education

association, the officers, the people on our IEP committee, and none of them were aware of training for regular education teachers.

I also asked other special education teachers who are not in the pilot project what training they have had about the law and its implications. They, too, at this point have not been made aware of its implications or trained in the process of writing IEPs. When they hear that the law exists and how it's going to affect them, they do check; and they are told, "Wait until the spring, and we'll get this rolling."

My local education association, however, has concerns not only about what happens to the teachers in the district if this particular model does not work, but also what happens in those schools where there are no special education teachers: Who's going to write the IEPs? Who's going to be trained in the process of writing them? Who's going to be aware of the implications of the law?

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BARBARA WHITE: To go one step further, I think it's shocking that administrators don't know. We have not been prepared in any way. I found out about the federal law through an article in the state education association newspaper and because I was a member of the state representative assembly. The only ones who know about it are perhaps the director of special education at the local level, the superintendent, and a few top administrators who go to a lot of conferences and have time to become expert in this area; and if you ask them a question, they say, "Well, we are working on it. We're just getting used to the law and we'll be developing a program so that you know about it."

We always seem to jump into a program and then through pressure from the local education association are remediated by getting some inservice. The administration knew this was coming, knew the guidelines, knew when it was supposed to be implemented; but they say, "Take your conference days"--we have four in our local school system--"go to some conference and update yourself." This law can have good spinoffs, but right now the spinoffs are very bad because of the lack of planning.

LAURA FOUNTAIN: I'm not trying to defend the federal government or any of us who might have known more than others. There was a law on paper, but it could have been implemented in many ways. Although the law was passed in 1975, the final rules and regulations implementing this law were not published in the Federal Register until August 23, 1977. So the people who had worked intensely with the proposed regulations knew a lot of wrong things, and only on August 23 did we know how the law would be implemented.

Part of NEA's work earlier was to testify publicly at hearings opposing portions of the regulations that we thought were not necessarily good education policies for students, teachers, or parents. We were successful in many of the points we fought against, and now we have rules and regulations that we can deal with; but in the hassle of trying to get school started, a lot of things got lost.

DIANE NEWKIRK: Teachers haven't been well prepared: none of us have been well prepared to implement this law. A lot of state education associations have been testifying to their own state departments of education and to the Bureau of Education for the Handicapped about teachers' needs to understand what the law means and how they are to implement it for the benefit of handicapped children and all children. Teachers need to know that every state must have within its annual approved plan a needs assessment for the personnel development needs of all who are going to be working with handicapped children--general education and special education instructional personnel, as well as people who work in related services and support services with the handicapped.

A major component of the rules and regulations for PL 94-142 is the use of incentives for teachers to be involved in their own professional development in working with handicapped children. The regulations state specifically that teachers should be given incentives, such as academic credit, salary step credit, certification renewal, and professional updating skills. One way teachers can use these regulations effectively is in connection with the Teacher Center Bill that NEA has also been involved with. Teacher center professional development emphasizes sharing the expertise all of us have in the various areas in which we work. Special education teachers need to know what general educators know, and general educators need to know what special educators already know. Psychologists need to know what happens in the classroom, and teachers need to know how psychologists evaluate children. If we can establish personnel development programs that all of us have input into, we all will receive maximum benefit from them.

RC: Does personnel development mean taking another college course, for example?

JIM BLANK: It could, but I have found that many universities haven't really decided what type of college courses they should offer. Many of the universities even within a state are offering courses with completely different philosophical viewpoints. I believe it is very important for university professors to get together and at least discuss the curriculum content of courses and some of their offerings in relation to PL 94-142.

BETTY BROWN: It also may mean a different definition of the role for the specialist, who may need to be involved directly in helping the child who is in the regular classroom, for example.

DN: This law didn't occur overnight; it is part of a long succession of legislative actions for the handicapped, and it goes back about six years. PL 94-142 was preceded by PL 93-380, which actually contained more provisions that were new and different and that are in the process of being implemented, than PL 94-142 does. It includes the confidentiality, the due process procedures, the least restrictive environment concept. There are a lot of ostriches around at policy implementation levels who have not recognized that special education is one of the priorities, that it has a severe impact on general education.

One of the problems is accepting the idea that special education is a public responsibility of everyone. It's like civil rights legislation; a number of things had to happen before people at the local level realized they had to do something, and they felt put upon that it was suddenly being required. So it is hardly possible these days to pick up a popular magazine, journal, or newspaper, or to hear a television or radio news broadcast, without hearing about the handicapped.

LF: With special education and regular teachers, I try to stress that once PL 94-142 and Section 504 cease to be special education problems and become educational issues, we will have dealt more properly with those two bills, because they do affect all of regular education as well as all of special education. That they are being dealt with as just special education problems is shown by the fact that if anybody knows much about them, it seems to be the special education people. We are not sure that they know about the legislation either, or whether what they know is correct.

RC: Sections 121a.380-87 of the regulations for PL 94-142 give a lot of information about personnel development. The regulations specify very clearly that all personnel involved with handicapped children are to be adequately prepared. What is appropriate inservice education for both regular and special education teachers?

GG: First and foremost is allowing PL 94-142 to become an issue that is talked about, that people can gain information on, to overcome the fear of what it is all about. Just the awareness will take care of some of the problems. Second, a valuable inservice tool would be to capitalize on skills that already exist, such as similarities between writing IEPs and writing objectives.

DN: Teachers also should become aware, either through courses or inservice programs, of the characteristics of handicapped children--how to identify in your classroom a child who should be referred for further evaluation, how to participate in that evaluation on a multidisciplinary team. It's frequently difficult for special education teachers, psychologists, social workers, and general education teachers to talk the same language about behavior. We need to learn to communicate with each other about the behavior of the child.

And then, I believe development of IEPs is only a part of what needs to be done. We need to learn how to teach children who have individual differences. This isn't different from the trend of individualizing instruction for all children, appreciating and knowing how to build on their strengths, how to look at children as individuals, how to help children understand each other. We need to learn more about differences in learning styles, classroom management skills. These staff development programs benefit not only handicapped children but all children.

Also, we should not overlook the staff development need for psychologists to learn how to work in classrooms with teachers--learning not just how to give the child a psychological evaluation, but how to help

the teacher understand what that means in educational terms. And staff development includes educating administrators, principals, and supervisors about what really goes on in the classroom.

LF: Some of our teachers have said it quite well: they are asking that it be called not inservice but retraining, because they feel that retraining is what they need. Inservice has the connotation of a day that you spend somewhere listening. Teachers want training to be built on what they already know and to be retrained in needed areas. It may be called an inservice day, but they like the retraining atmosphere better.

RC: So far, personnel development for regular teachers is almost nil, and little is available for special education teachers. How long will it take a general education teacher to learn what he or she needs to know to teach a handicapped child in the regular class?

BB: That depends on the handicap, the degree of the handicap, and on the teacher certainly. It also depends on the number of children with handicaps, and whether they all have the same handicap or different ones.

I could learn very fast how to handle a physically handicapped child who needs to be placed in a wheelchair in a certain way and to be taken out of the wheelchair when he or she needs to be helped physically. Learning to deal with a handicapped child with a severe emotional problem would take much more time, and one university course would not help me at all. It would take a great deal of retraining for me in other situations with other children with severe handicaps. It is a matter of degree. In the regular classroom, I have regular children who are having emotional problems, learning problems, and other kinds of problems.

I may never be retrained completely to help an emotionally disturbed child in the best way that the child should be helped. But if I have the assistance of an expert who has had the years of training necessary, that person should be in the classroom helping me with that child. Special education teachers and specialists have spent a great deal of time learning the expertise necessary to teach the handicapped.

DN: One problem is that special educators created a mystique that we have some kind of magic: "You can't teach these children; they are special. We are specially trained to teach these children, and we can take them off your hands." Now we are saying, "We will give them back to you because anybody can teach them." The truth is we don't have any special magic. Teaching handicapped children is more like teaching regular children than it is not, and it is not possible for anyone <u>ever</u> to know what he or she needs to know about teaching any child. It is a matter of continually learning, searching, and being a student; being open to children, learning from them, and learning from other teachers. To say it will take any group of people any single length of time to learn how to do anything is to say that teachers don't have individual differences in their learning; that there is a finite amount of information to know about teaching, and once you learn it you have it all and that's the end of it.

JB: I don't need a universe of knowledge about learning disabilities per se. I believe at the local level any type of retraining will help--it may even be inservice, because I have never been trained in dealing with education of the handicapped. But the retraining program should be an in-district course, and it should be prepared not by the administrative staff, not by the special education staff, not by the teachers, but jointly. That's why we have acquired a poor taste for the word "inservice." In the past just one group usually planned the inservice program, and the rest were reluctant participants. That isn't the way it should be.

Part of the problem that I see with the inservice and with teachers not being ready is that too much came too fast with too little preparation. In 1968 there were 33 special education programs--local school district programs--in my entire state. When the law on education for the handicapped was implemented in 1973, we had 133 programs, and in 1976 we had 1,200 programs. That is a large increase from 1973 to 1976; and then, for those students, we had to write IEPs and develop an inservice program as well.

Now for students who are handicapped or for the parents of handicapped students, ten years ago wasn't soon enough. But the actual implementation of the law in many states was concerned a great deal with how to qualify for the October 1, 1977, administrative funds, and this push created a very poor feeling between special education teachers and regular classroom teachers. Not that the law is not beneficial, not that we cannot implement it appropriately, but we weren't prepared for that implementation.

BW: As far as any one of us being able to know everything in order to deal with a certain child with a certain handicap who might be coming into the classroom, I believe that is the wrong approach. In the school system there already are people with expertise who can share with me as a general classroom teacher. The emphasis has to be on the team approach. We cannot add on or build a bigger pyramid that regular education teachers must carry on their shoulders; but if the information is available, we have to free up other duties--paper shuffling duties, quasi-administrative duties--and use the team approach toward sharing. I have expertise in a certain area; I don't expect everybody to know my area of expertise and I don't know theirs, but we work together on the problem.

Otherwise, there aren't enough dollars. We aren't naive enough to believe we're going to have a massive increase, because 50 percent of monies for special education in our state comes from the federal government and it's already used up. We are trying to squeeze out little bits for professional development and inservice plans. But we do have a lot of expertise right now--just free up the time.

DN: The teacher centers concept is beautifully integrated with this. It's not a matter of experts--whoever they are--telling teachers; we need to share our experiences, our strengths, and our differences among ourselves and to learn from each other. I would like to see personnel development programs give strong emphasis to the teacher center in professional development activity.

GG: There is another very real reason to stress the teacher center approach and the team approach. Adding one more layer onto the things that teachers are trained in and retrained for and inserviced with takes us one more step toward reaching the frustration level. So many have become burned out and have either left the profession or have stayed and merely gone through the formality of teaching.

RC: In some states, certification requirements are already being affected by PL 94-142. One state now has changed its certification laws and will require every teacher to be recertified with a course in special education. What is the implication for certification or recertification of teachers because of this law?

GG: I can only react based on a similar experience. In my district, teachers are mandated to take a total of three courses--two in reading and one in human relations--and any kind of mandate like that is not met with the best of feelings.

DN: The state department of education in my state is working on requiring one course, Introduction to Exceptional Children, in order for teachers to become certified in Elementary Education and in order for teachers to become recertified, as they must do every five years. They will need this graduate level course for recertification.

It is important to understand the limitations of such courses. They give an academic setting usually, a set of information, but we must learn how to translate this into real life experiences in the classroom. The idea of specialists learning to work in the classroom with teachers and their learning together how best to help handicapped children is probably the most effective way of changing all of our learning.

RC: The NEA is on record as favoring changes in inservice education for both regular and special education teachers. How can the local association help ensure appropriate inservice?

GG: One very good way is to stay in touch with the desires of teachers, and structure suggestions to the local school boards on the basis of teacher needs. The local education association is the funnel through which the teachers' desires should be made known. I see the local association as being a mirror of the wishes and needs of teachers in that association. I understand the NEA is providing model contract language for that purpose. That is one way we may proceed.

BW: The local education association can be effective in putting language in contracts to mandate that teachers must help decide the kinds of inservice they want during their professional hours, so that the teachers, therefore, are getting what they want and need, not just inservice that is dictated.

SECTION IV
EFFECT ON THE CLASSROOM

(Discussion)

RICHARD CORTRIGHT: *Public Law 94-142 may be the most important education legislation in the past ten years, if not the past twenty years. We have discussed the preparation of the individualized education plan, the placement of handicapped children in the least restrictive environment, and the inservice and preservice personnel development needed to write and implement IEPs in both regular and special education.*

The law now has been in effect since October 1, 1977. What have been the effects in the classroom, in terms of attitudes and achievement, on both the handicapped and nonhandicapped students; and what do you feel is most important for the successful implementation of a handicapped child's IEP in the regular classroom?

BETTY BROWN: I see six key areas that have to be dealt with for the successful implementation of this Act in the classroom: (a) a mutually accepted definition of "least restrictive"; (b) class size; (c) preparation for the teacher involved; (d) the criteria used for placement of the students; (e) the resources, both materials and people; and (f) the time element.

There is a great deal of confusion about "least restrictive." This term needs to be clarified and mutually agreed upon by those involved.

Class size must be considered when we have handicapped children in the regular classroom. We must have more time and smaller classes in order to meet the social, emotional, and academic needs of all the children. Yet class size has remained as large or become larger with the "mainstreaming" of the handicapped child. In my district no allowance or consideration has been given for the extra time and energy needed for the successful adjustment of all involved, not only in academic areas but also in social and emotional areas. Handicapped students at times have become very impatient waiting for the teacher to have time to deal with them in a classroom where there is one teacher for 30 students; at the same time, if the teacher tries to meet the needs of the handicapped student, the other students have frustrations.

Preparation will be of great importance; receiving teachers will have to be prepared with retraining to feel comfortable and adequate in dealing with problems they may not have dealt with before. In many cases, however, the receiving teacher of the handicapped child had no pre-staffing or inservice preparation before the day school opened, when they walked into the classroom to find the handicapped child there. Many teachers felt unprepared; they felt inadequate even to begin dealing with these needs and problems. Inservice came after the fact.

Consideration has not been given to the best possible placement of the handicapped child, who was placed in a room primarily according to age. Many times the handicapped children were not at the same ability level as other children in that age group; then they felt more pressure, and setbacks developed in their self-image. When a handicapped child is placed in a regular classroom, consideration should be given to the type of classroom it is: Is it an open classroom, with a team approach? Is it a

traditional classroom? Is it a classroom with 90 to 120 children and three or four teachers? Is it a classroom where the ratio is one teacher to 30 students?

Material and people resources did not precede the handicapped child into the regular classroom. The resources came later, often much later. There was much red tape to go through, and a time lag before the general classroom teacher was given assistance, though the help was needed immediately. The red tape and time lags must be eliminated as much as possible. Services for the handicapped student have to be on a regular, consistent, even a daily basis.

As a general classroom teacher I get concerned about the extra "resource" personnel we have who do not assist directly with the children. Individual programs developed must include a great deal of direct assistance by the specialist working with the regular classroom teacher. Specialists should have a large part of the responsibility for implementing the IEP. The team approach must be used, and teacher attitudes considered.

There must be scheduled released time for consultation between the regular education teacher and the consultant. Consultations cannot be held on the run--during a hurried lunchtime or at the end of the day when energy and emotions are already drained. Also, the time cannot be taken away from the preparation time used for the total class. It has to be part of the scheduled program for all children.

In spite of all of the frustrations and concerns we have felt, the children have learned from each other, and I am very much committed to the concept of mainstreaming. But it must be an evolutionary process, not a revolutionary one.

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JIM BLANK: I believe that implementation of the law is not always consistent with the intent of the law. The intent of Congress is for the law to be implemented, under the guidelines, for the benefit of all students, not just handicapped students. Yet we are saying that in practice the law has created a great deal of concern and has already been abused. I believe what teachers are interested in--besides understanding the letter of the law and what course they can take as individual teachers--is what remedies we have to rectify some of the situations that are occurring. When we feel there is an abuse of the law, there should be some type of appeal procedure other than negotiations, since only a few states have negotiation rights for teachers.

BARBARA WHITE: There are two things that we need; one is time, and the other is money. In the long run, time is on our side, but it takes a lot of money to implement a program. Right now, we need more materials, equipment, and supportive personnel for the regular classroom teachers.

JB: When you talk about class size, inservice training or retraining of teachers, and resources, you're talking about the funding level of the law as it was authorized. As teachers we need to work through the National

Education Association and also state education associations, to make sure that the levels of authorizations are the levels actually appropriated. So many times the objectives and goals of a law are very worthwhile, but the actual appropriations do not meet that level. The local negotiations team has to deal with that issue, and there must be cooperation between special education and regular education teachers to make their input and impact known to the bargaining team. Another avenue is through lobbying efforts of the state education association, to change and implement the state law and guidelines relating to handicapped education.

RC: What has been the effect of the implementation of the law so far on teachers and students?

LAURA FOUNTAIN: In my building the people who are working with mentally retarded children are predominantly the art, music, and physical education teachers. The physical education teacher started last year; it was her idea to try two or three children at a time with the regular education children, rather than as a batch. She was gung-ho; she wanted to schedule them instantly at the beginning of this year. She said, "Everybody just loves these children. They know what they can do, and they are often chosen first because they are some of the most capable in the classes we place them in." The music teacher was opposed to taking them other than as 16 students at one time in a room. But we worked carefully with personalities and class size, and she too said they are getting along fine, that behavior problems have gone down almost to zero and the interaction between children is great. The art teacher has been for it all the way through, and has moved one boy up a grade level with the parents' permission because he had underestimated the child's ability in art. They all three are for it now. I could not have said that at the beginning of the year.

The most important consideration for the special education children that I work with is that the placement really be in the least restrictive environment, not because of the age, or the size, or the handicap of the child, but because of the child's learning ability or learning style. Then the student going into a regular class will be more comfortable, and I would assume that the acceptance of the handicapped student by the other children would be easier. For students who are "regular" for certain parts of their day, it is really important to them. The track team this year had eight out of 16 retarded students participating actively and winning first, second, third place--or maybe coming in last.

The IEP refers not only to regular education classroom participation but also to participation in other regular programs. The parents and I particularly discussed sports teams: basketball and track at the elementary level, girls and boys alike. I listed this on the IEPs as part of the regular opportunity handicapped children would be offered. Listing it is no guarantee that they will make a team but it does say the child is able to participate after school hours in programs.

The issue of cooperation between special educators and regular educators is indeed one that we must consider and deal with. We must find the time to solve those problems that can be solved through communication before they become issues.

GERRY GRIPPER: My district is a little different because the people are not aware of the implications of this law. Since people don't know anything about it, there is no judgment of its effects to be made at this point.

DIANE NEWKIRK: I work primarily in staff development, both preservice and inservice, for teachers and administrators. School systems must reevaluate, make needs assessments, determine where people are and what resources they have in communities, to help people understand what handicaps are and what handicapped people need. At the state and local levels the education association can be most helpful in informing the community at large about the provisions of the law and the needs of teachers in learning how to work with the handicapped. State universities and state education agencies need to develop alternatives for parents, teachers, and other school personnel to learn through their own learning styles.

BW: A year ago the reaction of our staff and community was very positive. It was something that they wanted, that they had worked very hard for and were all committed to. This year the opposite is true; there is a very depressing, low feeling. We have not had the luxury of implementation in particular areas such as art, music, and physical education. It has been frustrating for everyone involved. We are now at the point of regrouping and trying to move forward as we felt we were doing last year.

JB: We have a total range of programming: county-run handicapped education systems, a composite of local school districts on their own, and the local education agency. To my knowledge no handicapped education students per se have been placed from the county education agency into the public school systems. But I've talked with other teachers around the state who feel that the regulations have been implemented too soon, too fast, and with too little preparation, especially in inservice training.

BW: The biggest salve that needs to be given to teachers in our school district is concrete knowledge and an orderly process with a timeline for where we go from here. If teachers are involved in that process, we can lower the blood pressure levels.

RC: What are the reactions of the regular students to the handicapped students?

JB: Special educators around the state felt that regular students probably did not notice after the initial period, and there really wasn't a problem as long as the criteria of least restrictive environment were met. If the placement was right, the students adapted very readily.

BW: We have had quite a number of varied experiences in our local district. It depends on the preparation or the special education students,

who usually go from an environment of eight students per class to one of thirty. It also depends on the regular education students and the preparation they have had.

I try not to generalize, but let me give some examples. For a while some regular education students were resentful that the teacher was spending a lot of "extra" time helping the new students who had been in a segregated special education program, and they wanted their time. Sometimes it depends on the kind of handicapped students put into regular classrooms; for instance, there is a natural tendency for the regular education students to do everything for the handicapped child, not to let her or him try to reach for things, to give help immediately if the child drops a crutch, and so on. The regular education children sometimes don't understand why Johnny gets to eat a brownie in the middle of the morning because he has severe diabetes and has to have the sugar; they want a brownie, too. The teacher has to be very sensitive about little things that happen that the teacher may not even be aware of.

I am really concerned about the special education children who come back to the regular classroom. As an elementary counselor working with large numbers of these children, I thought the first week was beautiful; the handicapped children were excited. Then all of a sudden they lost their self-confidence. They were crying; they didn't want to come to school because they felt dumb. Here was a third-grade child who didn't have cursive writing skills. Here was a child that came from a classroom of six students and now is one of thirty, and was disorganized as to how to start an assignment. They got lost and frightened, so they lost their positive self-image and didn't want to come to school.

Of course, these things are being remediated. We are getting so much experience now, and we are starting to become more sensitive, but it goes in up and down cycles. We just have to be sensitive and learn how to remediate the situation.

LF: I have trouble believing some of the children having these frustrations were indeed placed in the least restrictive environment. The regulations say, "In selecting a least restrictive environment, consideration is given to any potential harmful effect on the child or on the quality of services which he or she needs." It seems to me that you are describing not only potentially harmful effects but effects that have affected harmfully and services which are indeed less than the children need.

Were I in that situation I would go to the individual parents, explain the problems, and read them the due process procedure as spelled out in PL 94-142 and state guidelines. If the parents cannot understand the due process procedure, an advocacy group can and will work for these children.

DN: The law is saying that children who have special needs must be identified and served. Teachers have problems in classrooms because they have not been able to convince people that children need to be identified and served, and they haven't had a part in the process of identifying, evaluating, placing, and serving those children. We now have an opportunity to say that, according to the guidelines of the state and the criteria in determining who is and is not handicapped, this child appears

to have a certain kind of behavior and must be evaluated. It must be determined whether the child has individual needs that meet the special education eligibility requirements; and if so, those needs must be served.

A number of children have been on waiting lists to be evaluated, or have been on waiting lists once they were evaluated and considered eligible. There was no room in the learning disabilities programs, therefore the child had to wait. There was no room in the class for the retarded, so a child would be put on a waiting list. That cannot happen anymore. What should be happening is that, in addition to the children entering the regular classroom from special programs, there ought to be an exodus of children who have not been appropriately served. We are not piling more on, we're actually helping to refine the process of giving every child the program he or she needs.

BB: I love what I hear you saying should be. What I'm saying is: This is happening. The waiting list you are talking about is my classroom. And it's in the classrooms of a lot of teachers. That's where those children are waiting.

DN: The beginning of knowing how to make what should be a reality is to know the provisions of the law and how to operate within the law to make sure these things happen.

BB: The other aspect is the red tape: You can't get by it. I had a child tested in March, and the IEP meeting was not held until November. Meanwhile, you know the law and I know the law, and a lot of the other teachers know it. We still have a waiting period, we still have the channels to go through, we still have all the other problems.

JB: I know about a handicapped student placed in the wrong learning environment. The student didn't belong in the regular classroom--it was just a mistake in the typing of the IEP. But when the parents were informed that the child really belonged in another class and that everybody on the team was in agreement, the parents said, "No, he is getting along so well in there and likes the class so well, let's just leave him there."

If the parents of a handicapped child wanted to put the student into a special program, how long would the appeal procedure take?

DN: There are different timelines in different states, so you would have to consult the specific state regulations or administrative guidelines. There are several levels of appeals and the child remains in the same environment while the appeals are being made.

JB: If there were an appeal procedure and a reevaluation of the original education program for that youngster, it might be a much more expeditious process.

DN: They apparently also can request an outside evaluation, and that extends the process.

BW: Let me deal with the "stigma" of special education. You have proposed that we tell parents we think they ought to appeal--that we don't think the child is in the right environment. Probably 80 percent of the parents who reluctantly allowed their children to be in a special education program originally want their children back in the regular environment and then they get that opportunity. For us later to go to them and say, "We want to reevaluate the situation your child would function best in"--they won't buy it. All they are interested in is getting the child back into the regular setting--even though the child is experiencing the frustrations we described. It is naive to think we can get parents to do a lot of these things.

DN: Let's separate the handicapping conditions before talking about stigmas, and about whether or not parents want their children in regular classrooms. We cannot equate a blind child, a deaf child, or a physically handicapped child, and the programs that they need and the interests of their parents, with a mentally retarded child. Parents of deaf children are very much concerned that their children not be educated in general education programs for the most part; that least restrictive environment doesn't force their children out of programs with total communication, with special equipment, with special teachers. Many parents of children who are severely mentally retarded don't want their children in general education environments because of the stigma and the problems the children have and the hassle they get from other students. But parents of the mildly retarded child will do anything not to have that child called mentally retarded; "learning disabilities" are much more acceptable. Parents don't want their children to be called seriously emotionally disturbed; they'd rather the child have an "educational handicap" or a "learning disability."

RC: The NEA position is to work with the parents of handicapped children, when possible, because of their special rights written into the law and regulations.

DN: It is important for parents to understand their rights and their child's rights to due process. Parents must give permission to evaluate a child, and to place the child in a special education program; this is a federal law and is also a law of regulation. Parents of handicapped children have the right to ask that their child be evaluated, and to be involved in the evaluation. Following the determination of eligibility, they are to be involved in the conference for writing the IEP. The child's parents and teacher are the individuals who know the strengths and the needs of the child.

Once a child is found eligible, goes through the IEP process, and is placed in a special education program, it is then the responsibility of parents to stay informed, to be involved with the teacher, to carry out consistent programming for the child at home and at school. For the

continuity of the child's program it is frequently necessary for the home and school to communicate even more closely than it is for other children. If there is to be a change in the IEP--regarding services, placement, or annual goals and objectives--then the parents have to be consulted. The parents may initiate a reconvening of the IEP committee if they are not pleased with the progress of the child; they may refuse to have a child placed or to continue placement at any time in the school program, either refusing to sign or indicating that they want the child out of the program. In most states, school systems can appeal, acting in the best interest of the child, but parents have the right to appeal decisions made by the school and to carry that appeal process into the courts, if necessary.

Parents of the handicapped are chiefly responsible for the federal law and for most of the state laws that have come about through the past few years. Handicapped children have not been in education programs, have not been appropriately served, in much greater numbers than regular children, and the parents of handicapped children have had more difficulty in getting professionals to understand their children's needs. Therefore, the concerns we have as educators--how to implement the law, how to administer the law, how to live with it day-to-day, given all the other priorities of the school--are frequently not seen by parents. All they can see is that their children have not been getting what other children have been getting, and their children now have rights under the law for the first time.

RC: How can teachers work with parents to make the law work?

BW: Teachers should work through their local education associations. Last year we made contact with every parent group in the area. They told us their concerns and we told them our perspective, teachers' concerns about implementing the law and developing the advisory committees. I believe we can work together very effectively because we are after the same end product, the best education for their child. More and more parents want to deal directly with teachers because teachers are less devious in answers and giving double talk than administration.

GG: The biggest tool is communication to keep the information flowing freely on a two-way basis. This is another area where we can capitalize on what exists in most school districts. That is parent-teacher contacts, whether through conferences or phone calls or PTA meetings. In my district, every teacher at the elementary level is required in the first reporting period--generally the first nine weeks--to have a face-to-face conference with the parents of every child in that teacher's classroom.

DN: The state education agency must appoint an advisory committee to the state, and local education agencies may have advisory councils also. On these advisory committees are to be parents of the handicapped children, handicapped individuals, teachers, teacher educators, people who are responsible for teacher education programs, and state or local education administrators.

JB: I also have heard some concern that once the child is placed, the parents don't really care anymore, as long as they know the child is in an educational environment that seems to meet his or her needs; in other words, the initial placement is fine.

LF: I don't believe there are any parents in the United States who do not care about their children's education. Some parents who have lived through a great amount of frustration might say, "I do not care." But that is a learned response because of the years the child has been unable to receive an appropriate education. They have had to learn not to care, because if they said how deeply they cared they would be torn asunder.

DN: They have been fighting and fighting to get their child placed; finally now they can turn their attention to other things. Just having the child somewhere is so much better than before that now they feel relief. They could be asking for a better quality of education if they knew the right questions to ask.

JB: I was referring to the importance of the parents' conferences. If the parents don't show up for the conferences some teachers believe the parents' concerns are not as great as they would like. But even in the regular classroom, from elementary to junior high to senior high school, there is a decrease in the number of parents who attend those conferences.

RC: What has been the experience with parents of nonhandicapped students as a result of the law and the placement of handicapped children with their children?

BW: Parents sometimes wonder if their regular child is getting as much teacher time as before the handicapped children came into the classroom.

DN: One of the benefits of this law, not just for handicapped children, but all children, is that it will give children an opportunity to grow up in an environment where individual differences are appreciated, where regular children can see that children who have handicaps are more like them than they are not.

We grew up in an environment where we were protected and sheltered from handicapped children; we couldn't learn from them, nor they from us. And when it is not possible to interact with people we develop a lot of stereotypes, and a lot of impressions and fears. There are misconceptions about handicaps. One newspaper had an article recently about a school in which trainable retarded children were to be going to school, and use the same cafeteria and the same playground as the otner children. Parents in the community wanted a fence put up in the middle of the playground to keep the trainable handicapped children on one side of the fence and their children on the other side. And they wanted the cafeteria time split, so that at no time would the children be mixed. It was as though trainable mentally retarded is catching and if you get too close you might catch it.

We have a responsibility not only to educate ourselves but to educate the whole community. The fact that our children will be growing up knowing about and learning to live with the handicapped is going to make it a lot easier for them. It will be much more comfortable for our children to live in a world of diversity when they learn to appreciate all people.

RC: Special education teachers are concerned that they will lose their jobs as a result of this law.

DN: I have had an experience with that. One county was informed by the state department of education that, in order to comply with their state law--and now the federal law--they should be serving 250 handicapped children. So the county fired all of its teachers of the educable mentally retarded and the learning disabled; they hired three speech therapists and gave them a caseload above the state minimum, and then said they were serving 250 children. Of course, this is not in compliance with the law, either in spirit or in actuality.

RC: What have your local and state education associations done and what ought they to do to implement PL 94-142?

GG: While I fully support the intent of the law and the best education for all children, there are some very realistic problems concerning its implementation. Some of those can be detrimental to teachers or detrimental to the child, and I think we have to recognize that fact. I believe the role of education associations at the local, state, and national levels is to support the Act, but at the same time to be aware of the problems that arise and design instruments and strategies to protect not only the teacher but the child as well.

DN: In my state the Governor appointed a panel to study the implications of PL 94-142 on state law and regulations and to recommend changes to bring state policy into compliance with the law. The president of the state education association, an articulate and informed woman, was appointed to that committee. She very effectively stated the association's position regarding the need for professional development, for inservice education that teachers help design, for informing all teachers about the implications of the law and their responsibilities under it.

Raising the consciousness of the people in the state department of education is a priority for the state association, and raising the consciousness of local educators is a local association priority.

BW: I see at least three things teachers and teacher advocate organizations have to do on a local level. First, within our own teacher ranks we need to be bringing the special education staff and the general staff together as a team in making the new law work. Second, teachers and local association leaders need to be as knowledgeable as the local

administration, or more so, to monitor what is happening at the local level and not be hoodwinked. Third, the local associations must insist on high priorities for educating teachers as to how to make the program work.

LF: My state has tried very hard in the past few months to give information and knowledge to as many regular and special education teachers as possible. Along with dissemination of the PL 94-142 rules and regulations, the Section 504 rules and regulations, and the state law and state plan for compliance with PL 94-142, we've put together an "alphabet soup" sheet that we use with regular education and special education teachers so that we all know the terminology. In our 30 UniServ units, we are forming monitoring committees which will work with parent and advocacy groups, as well as the state advisory council, to watch for any misapplication of PL 94-142 or our state laws and regulations.

BB: I see four key areas. First, I see class size as a state concern. Our state sets the class size now for special education classes, and if we are going to have a working system with the handicapped children we will have to control that. Second, I see a great need for built-in, scheduled planning time. Third is a total commitment, more than the token administrative support that is given. Fourth, I see a need for two-way interaction; in our system, special education has much more than the regular classroom has in a lot of ways: art, music, and physical education programs and special facilities that we do not have. It would be very easy to have the regular classroom children taking part in some of these activities.

JB: I believe those are priorities of the local and state education associations. It is important to get a clear understanding of what some of the terms mean and what the implementation dates are; the state association can be very helpful working through the state departments of education to iron out problems before they become major negotiation issues at the local level. Class size also is very important, especially when you are talking of putting handicapped students in a classroom with 30-32 students.

GG: I wholeheartedly agree with that description of the national and state roles. However, in those states where bargaining is not permissible, the local association has to take a different approach. It is incumbent upon the local association to stay in touch with the teachers and to provide two-way communication vehicles, so that teachers can contact their local association regarding imperatives in the classrooms. At that point it is up to the local association to make known to the local school agency, or local school board, the feelings of teachers so that these imperatives can become a reality.

The federal law, PL 94-142, calls for state advisory panels to monitor the implementation of the law within each state. Teachers must make problems known to this advisory panel; it is also imperative to get teachers on these advisory panels, so that the needs and views of teachers are represented.

If the parent is not satisfied with the implementation of the IEP, there has to be an organized vehicle to resolve parent grievances. Teachers are in a very advantageous position in terms of one-on-one lobbying with the parent. The parent appeal process is mandated, and teachers can make use of that process.

RC: The National Education Association has supported Public Law 94-142 and is committed to its proper implementation. While there is diversity of points of view, and some dissatisfaction with its implementation, there is general satisfaction with the law. We will continue to work to see that compliance does take place so that all people--handicapped children and their parents, regular students and their parents, and teachers, both regular and special--can fulfill their appropriate roles. We consider PL 94-142 a special law for special people--students, parents, and teachers.

NEA RESOLUTION 77-33--Education for All Handicapped Children

The National Education Association supports a free appropriate public education for all handicapped students in a least restrictive environment which is determined by maximum teacher involvement. However, the NEA recognizes that to implement Public Law 94-142 effectively,

a. A favorable learning experience must be created both for handicapped and non-handicapped students.

b. Regular and special education teachers and administrators must share equally in planning and implementation for the disabled.

c. All staff should be adequately prepared for their roles through inservice training and retraining.

d. All students should be adequately prepared for the program.

e. The appropriateness of educational methods, materials, and supportive services must be determined in cooperation with classroom teachers.

f. The classroom teacher(s) should have an appeal procedure regarding the implementation of the program, especially in terms of student placement.

g. Modifications should be made in class size, using a weighted formula, scheduling, and curriculum design to accommodate the demands of the program.

h. There must be a systematic evaluation and reporting of program developments using a plan which recognizes individual differences.

i. Adequate funding must be provided and then used exclusively for this program.

j. The classroom teacher(s) must have a major role in determining individual educational programs and should become member(s) of school assessment teams.

k. Adequate released time must be made available for teachers so that they can carry out the increased demands upon them.

l. Staff reduction will not result from implementation of the program.

m. Additional benefits negotiated for handicapped students through local collective bargaining agreements must be honored.

n. Communication among all involved parties is essential to the success of the program.

Note: Additional information about the NEA position regarding PL 94-142 is available from the Division of Instruction and Professional Development, National Education Association, 1201 16th St., N.W., Washington, D.C. 20036

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ERIC

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